

SUPPORT FOR THE AMENDMENTS

Claims 3 and 8 were previously canceled.

Claims 1, 2, and 4 have been amended.

The amendment of Claims 1, 2, and 4 is supported by the corresponding previously pending claims and the original specification as filed, for example at page 1, line 10 to page 2, line 8, page 12, line 16 to page 13, line 4, page 16, line 24 to page 17, line 11, and the Examples.

No new matter has been entered by the present amendment.

REMARKS

Claims 1, 2, 4-7, 9, and 10 are pending in the present application.

The rejection of Claims 1, 2, and 4 under 35 U.S.C. §112, second paragraph, is obviated by amendment.

The Examiner has held the claims to be indefinite. Specifically, the Examiner is has indicated that the phrase “said wild yeast is not yeast not used for brewing and being obtained from the genus *Hansenula*, the genus *Brettanomyces*, the genus *Candida*, and the genus *Saccharomyces*” is unclear. Specifically, the Examiner has taken the position that this phrase is unclear as to how the yeast is “obtained from” a given genus and how the yeast is obtained from multiple genera in a simultaneous manner. To address this confusion, Applicants have amended the objected to phrase as follows “said wild yeast is yeast not used for brewing and ~~being obtained from~~ said wild yeast belongs to a genus selected from the group consisting of the genus *Hansenula*, the genus *Brettanomyces*, the genus *Candida*, and the genus *Saccharomyces*”. Accordingly, Applicants submit that this ground of rejection is now moot.

Withdrawal of this ground of rejection is requested.

Applicants remind the Examiner that the Office Communication mailed October 4, 2004, the Office required an *election of species* as follows:

Species I: a pair of primers including SEQ ID NOs: 7 and 8, and methods of employing that pair of primers (e.g., claims 2-3 and 7-8), and

Species II: a pair of primers including SEQ ID NOs: 9 and 10, and methods of employing that pair of primers (e.g., claims 5-6 and 9-10).

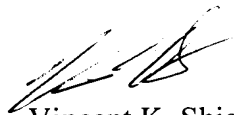
In making this election of species requirement, the Examiner acknowledged that Claims 1 and 4 are generic (see MPEP §806.04(d) for definition). Further, it was acknowledged that “upon allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.”

Accordingly, in view of the finding of elected Claims 1, 2, 4, and 7 as being allowable, Applicants request that the Examiner expand the search of the claims to embrace the species of the remaining “withdrawn” claims.

Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Vincent K. Shier, Ph.D.
Registration No. 50,552

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)